

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley, (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Stephen A. Cozen, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haeefe, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

February 5, 2020

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

The Plaintiffs' Executive Committees ("PECs"), on behalf of all Plaintiffs, write to request a three-week extension of the deadlines for the respective parties to serve their experts reports relating to the personal jurisdiction and merits defendants.¹

On January 17, 2020, pursuant to the schedule set in ECF No. 5413, plaintiffs informed defendants of the identity of seven experts and the topics on which those experts will provide opinions. As these experts have continued to work to finalize their reports, each has separately expressed concern about the turnaround time to complete a report by the existing deadline, in light of preexisting obligations vying for their time. For instance, one of plaintiffs' experts is preparing to testify for the U.S. government in a trial commencing March 2 and has expressed concern about balancing the competing demands of preparing for that trial, other preexisting obligations, and completing the report in a timely manner. The other experts have, likewise, identified similar competing obligations and emphasized a need for additional time to balance those commitments.

The Court recently adjusted the schedule for expert reports as to the claims against three individual personal jurisdiction and merits defendants which will likely result in any expert discovery regarding those three claims being completed after the dates proposed here. Accordingly, the

¹ The relevant deadlines in Your Honor's Orders at ECF No. 5266, 5413, as modified by ECF No. 5751, apply to the claims against the following personal jurisdiction and merits defendants: Abdullah Omar Naseef, Abdullah bin Saleh al Obaid, Abdullah Mohsen al Turki, Adnan Basha, Muslim World League ("MWL"), International Islamic Relief Organization ("IIRO"), World Assembly of Muslim Youth ("WAMY"), and Dubai Islamic Bank ("DIB"). This request does not apply to the deadlines for claims against defendants Soliman al Buthe, Yassin Abdullah al Kadi, and Wa'el Hamza Jelaidan, which deadlines are governed by ECF No. 5751. These deadlines did not apply to defendant Dallah Avco.

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adjustments proposed herein will not affect the overall schedule for expert discovery relating to personal jurisdiction and merits defendants.

In light of the experts' competing obligations and the fact that the proposed schedule will not affect the overall schedule for expert discovery as to the personal jurisdiction and merits defendants, the PECs request that Your Honor grant a three-week extension for the currently set deadlines for service of the expert reports. The proposed revised schedule for service of expert reports would be as follows:

- (1) Current date: February 18, 2020; New date: March 10, 2020 – Plaintiffs' affirmative expert reports due.
- (2) Current date: April 17, 2020; New date: May 8, 2020 – Defendants' affirmative and rebuttal expert reports due.
- (3) Current date: May 18, 2020; New date: June 8, 2020 – Plaintiffs' rebuttal expert reports (if any) due.
- (4) Current date: July 17, 2020; New date: August 7, 2020 – Deadline for completion of expert discovery.

The PECs have conferred with counsel for the referenced defendants and they have advised that they do not oppose the proposed extension of the deadlines.

Respectfully submitted,

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cc: The Honorable George B. Daniels (via ECF)
All Counsel of Record (via ECF)